

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

LAUNCHIP LLC.,

Plaintiff,

v.

MENARD, INC.,

Defendant.

and

INLITEN LLC,

Proposed Intervenor-Defendant.

ORDER

20-cv-168-wmc

The court is in receipt of two motions by Inliten, LLC: (1) a motion to intervene under Federal Rule of Civil Procedure 24(b) (dkt. #10) and (2) a motion to transfer this patent lawsuit to the Western District of Texas (dkt. #11). As Inliten explains in its motions, plaintiff Launchip LLC asserts similar infringement claims based on the same patents involving color-changing LED lights against nine other defendants -- five in the Western District of Texas and four in the Northern District of Illinois -- as it does against Menard in this case. Moreover, for four of these lawsuits, Inliten is the sole provider of the accused products to Menard and the other defendants. Rather than defending against these lawsuits in three different courts, Inliten intends to intervene in the four lawsuits and to seek transfer of this lawsuit, as well as those in Northern District of Illinois, to the Western District of Texas, which is where plaintiff Launchip's first patent lawsuit was filed. Inliten further represents that it has conferred with plaintiff on this plan, and that neither plaintiff nor defendant Menard opposes either of its

motions. Finally, Inliten's motion is timely, it has a defense that is the same as that presented in the main action, and its plan to intervene, transfer three of the cases and defend all in the Western District of Texas is an efficient use the parties' and judicial resources. *See City of Chi. v. Fed. Emergency Mgmt. Agency*, 660 F.3d 980, 987 (7th Cir. 2011). Accordingly, the motion to intervene (dkt. #10) is GRANTED. Moreover, in light of the lack of opposition to the motion to transfer and the fact that the first of the four lawsuit was filed in the Western District of Texas, that motion (dkt. #11) is also GRANTED. The clerk's office is directed to add Inliten LLC as an intervening defendant to this lawsuit and transfer this case to the Western District of Texas.

Entered this 10th day of April, 2020.

BY THE COURT:

/s/

WILLIAM M. CONLEY
District Judge